Exhibit 2

EXHIBIT 2

CONSTRUCTION OF AGREED CLAIM TERMS

A. ANOVA PATENTS

Term	Claims	Agreed-Upon Construction
control center	'099 claims 1, 2, 7, 11, 12; '372 claims 1, 14; '651 claims 1, 7; '560 claims 1, 7	"A point, which may include one or more computers, through which information flows for controlling transactions between commercial banks and depositors, including pooled depositor groups"
aggregating / to aggregate / aggregated	'099 claims 1, 2, 7, 11, 12; '372 claims 1, 14, 27	"Combining from disparate sources" / "to combine from disparate sources" / "combined from disparate sources"

B. PROMONTORY PATENTS

Term	Claims	Agreed-Upon Construction
bank	'522 claims 1, 3; '307 claims 1, 3; '745 claims 1, 4, 5, 8, 11, 14, 15, 18; '746 claims 1, 5, 8, 9, 12, 13; '747 claims 1, 6, 10, 17; '057 claims 1-3, 13, 17; '986 claims 1, 4, 6, 11, 14, 16;' 005 claims 1, 3-5, 11, 13-15	"A financial institution that offers deposits that are insured up to an established deposit insurance limit."
large deposit	'522 claims 1, 3; '307 claims 1, 3; '745 claims 1, 4, 5, 11, 14, 15; '746 claims 1, 8, 12, 13; '747 claims 1, 17; '057 claims 1, 8, 13, 18; '986 claims 1, 4, 6, 11, 14, 16; '004 claims 1, 10, 11, 20; '005 claims 1, 4, 5, 11, 14, 15	"A deposit received by a bank from a depositor in an amount that exceeds an established deposit insurance limit."

Term	Claims	Agreed-Upon Construction
order	'522 claims 1, 3; '307 claims 1, 3; '745 claims 1, 4, 5, 11, 14, 15; '746 claims 1, 13; '747 claims 1, 17; '057 claims 1, 8, 13, 18; '986 claims 1, 4, 6, 11, 14, 16; '004 claims 1, 10, 11, 20; '005 claims 1, 3-5, 11, 13-15	"A request inputted into an interbank deposit placement system by a representative of a bank to which a large deposit is made available by a depositor."
partitioning	'522 claim 1; '307 claim 1; '745 claims 1, 11; '746 claims 1, 13; '747 claims 1, 17; '057 claims 1, 13; '986 claims 1, 11; '004 claims 1, 11; '005 claims 1, 11	"Dividing into parts"
deposit portion	'522 claims 1, 3; '307 claims 1, 3; '745 claims 1, 4, 5, 11, 14, 15; '746 claims 1, 12, 13; '747 claims 1, 17; '057 claims 1, 8, 13, 18; '986 claims 1, 4, 6, 11, 14, 16; '004 claims 1, 10, 11, 20; '005 claims 1, 4, 5, 11, 14, 15	"A part of a large deposit, the amount of which does not exceed the established deposit insurance limit"
automated / automatically	'745 claim 1; '746 claim 1; '747 claim 1; '057 claims 1, 13; '986 claim 1; '004 claim 1; '005 claims 1, 11	"Acting or operating in a manner essentially independent of external influence or control"
operated	'745 claim 1	"Controlled the functioning of; ran"
subcustodian	'004 claim 14	"An entity that acts as the subcustodian for a custodian for depositors with respect to deposits established through an interbank deposit placement system"
considers	'747 claim 10	"takes into account"
unaffiliated	'522 claims 1, 3; '307 claims 1, 3; '745 claims 1, 4, 5, 8, 11, 14, 15, 18; '746 claim 9; '747 claims 6; '057 claims 1, 13; '986 claims 1, 4, 6, 11, 14, 16; '004 claims 1, 7, 10, 11, 14, 17, 20; '005 claims 1, 4, 5, 11, 14, 15	"not related through ownership or control"

Term	Claims	Agreed-Upon Construction
amount the network of banks can receive	'746 claims 1, 13	"maximum amount that the network of banks can receive"

PARTIES' PROPOSED CONSTRUCTIONS OF DISPUTED CLAIM TERMS

A. ANOVA PATENTS

	Claim Term	Claim(s)	Promontory's Proposed Construction	Anova's Proposed Construction
1	depositor group	'099 claims 1-4, 6-8, 11-14, 16; '372 claims 1-4, 7, 9-12, 14-17, 20-24, 27, 29-33, 39, 41, 42, 44, 46-50; '651 claims 6, 9-13, 16, 17, 19-20, 22, 24, 3; '560 claims 6, 9-13, 16, 17, 19-20, 22, 24, 32	Indefinite. To the extent it can be construed - "A group of individuals or entities that pool funds for deposit purposes and that are permitted to deposit funds in a NOW account."	"A group of one or more individuals and/or one or more entities placing or seeking to place funds in one or more banks."
2	depositor	'099 claims 7, 8; '372 claim 28; '651 claim 5, 25, 26; '560 claims 5, 25, 26.	Indefinite. To the extent it can be construed - "A group of individuals or entities that pool funds for deposit purposes and that are permitted to deposit funds in a NOW account."	"An individual or entity placing or seeking to place funds in one or more banks."

	Claim Term	Claim(s)	Promontory's Proposed Construction	Anova's Proposed Construction
3	stable funds source / stable deposits	'099 claims 1, 2, 7, 11, 12; '372 claims 1, 5, 6, 14, 18, 19, 27-29, 34; '651 claims 6, 9, 14, 15, 23, 32; '560 claims 6, 9, 14, 15, 23, 32.	"source of pooled funds that when deposited are usable as core deposits" / "deposits usable as core deposits"	"Source of funds that, as a whole, do not fluctuate significantly in amount in response to changing conditions and/or the passage of time" / "Deposits that, as a whole, do not fluctuate significantly in amount in response to changing conditions and/or the passage of time"
4	aggregating, prior to the depositing of the funds available for deposit…the deposit needs	'099 claims 1, 2, 7, 11, 12; '372 claims 1, 14, 27.	"Combining from disparate sources amounts of funds desired to be deposited in order to provide a stable funds source, prior to depositing the funds in one or more commercial bank accounts, in order to achieve a higher yield, and where the funds are not deposited upon receipt in accordance with depositor's preferences and amounts of the depositor's funds already deposited with particular banks"	"Combining from disparate sources amounts of funds sought to be deposited, prior to depositing the funds in one or more commercial bank accounts and using the control center with one computer, in order to provide a stable funds source"

	Claim Term	Claim(s)	Promontory's Proposed Construction	Anova's Proposed Construction
5	determine whether the first set of requirements matches the second set of requirements / determining whether the first set of requirement matches the second set of requirements	'560 claims 1, 7, 30; '651claims 1, 7, 30.	Indefinite	Plain meaning.

B. PROMONTORY PATENTS

	Claim Term	Asserted Claim(s)	Promontory's Proposed Construction	Anova's Proposed Construction
1	processor	'522 claim 1; '307 claim 1; '745 claims 1, 11; '746 claims 1, 5, 12, 13; '747 claims 1,17; '057 claims 1, 2, 3, 13, 17; '986 claims 1, 11; '004 claims 1, 11, 14; '005 claims 1, 11.	"A system component responsible for allocating potential deposit amounts to multiple banks or responsible for one or all of the following: maintaining customer account records, maintaining Settlement Accounts, serving as issuing and paying agent on behalf of Receiving Institutions with respect to deposits established through the Interbank Deposit Service, and serving as subcustodian for Relationship Banks"	"one or more computers that are components of an interbank deposit placement system"
2	process large deposits / process the large deposits	'522 claims 1, 3; '307 claims 1, 3; '745 claims 1, 4, 5, 11, 14, 15; '746 claims 1, 13; '747 claims 1, 17; '057 claims 1, 13; '986 claims 1, 4, 6, 11, 14, 16; '004 claims 1, 10, 11, 20; '005 claims 1, 5, 11, 15.	Plain and ordinary meaning. To the extent construction is necessary: "performing functions with (the) large deposits"	"automatically allocate portions of a large deposit among multiple banks so that the entire deposit is fully insured"
3	order matching process	'747 claims 1, 10, 17.	Plain and ordinary meaning. To the extent construction is necessary: "order matching functions"	"an operation that automatically matches orders"

	Claim Term	Claim(s)	Promontory's Construction	Supporting Evidence
1	"depositor group"	'099 patent: Claims 1-4, 6-8, 11-14, 16 '372 patent: Claims 1-4, 7, 9-12, 14-17, 20-24, 27, 29-33, 39, 41, 42, 44, 46-50 '651 patent: Claims 6, 9-13, 16, 17, 19-20, 22, 24, 32 '560 patent: Claims 6, 9-13, 16, 17, 19-20, 22, 24, 32	Indefinite. To the extent it can be construed - "A group of individuals or entities that pool funds for deposit purposes and that are permitted to deposit funds in a NOW account."	'099 Patent - 1:15-23, 1:37-39, 1:50-58, 1:64-2:5, 2:8-21, 2:25-38, 2:48-3:13, 3:33-36, 3:34-36, 3:41-47, 3:54-56, 3:60-66, 4:4-6, 4:10-11, 4:16-19, 4:31-34, 4:43-47, 4:61-67; 6:49-7:3, 7:18-22 7:25-52, 7:58-8:60, 9:9-12, 9:16-20, 9:23-34, 9:38-44, 9:47-49, 9:50-55, 9:64-10:4, 10:11-15, 10:19-67, 11:3-17, 11:27-35, 11:40-45, 11:51-63, 12:1-4, 12:13-16, 12:20-22, 13:22-24, 13:27-28, 13:32-35, 14:12-16, 14:43-47, 14:58-60, 15:26-30, 15:34-37, 15:51-16:14, 16:21-32, 16:34-67, 17:1-12, 17:17-33, FIGS. 1-10 '372 Patent – FIGS. 1-10, 1:7-15, 1:27-31, 1:42-62, 1:65-2:9, 2:15-48, 3:1-4, 3:9-13, 3:22-24, 3:28-29, 3:31-34, 3:39-41, 3:45-47, 3:51-52, 3:64-67, 4:9-14, 4:27-33, 6:15-24, 6:27-29, 6:30-36, 6:51-7:6, 7:14-40, 7:48-8:19, 8:23-27, 8:32-50, 8:54-56, 8:61-65, 9:4-11, 9:18-22, 9:26-40, 9:45-10:22, 10:34-42, 10:49-52, 10:58-11:3, 11:8-11, 11:21-30, 12:31-37, 12:42-44, 13:20-24, 13:51-55, 13:66-14:1, 14:34-38, 14:42-45, 14:59-15:24, 15:29-16:14 '651 Patent – FIGS. 1-5, 1:23-27, 1:51-62, 2:10-16, 2:28-30, 3:1-10, 3:21-26, 6:42-49, 7:14-23, 7:39-67, 8:12-23, 8:27-36,

	Claim Term	Claim(s)	Promontory's Construction	Supporting Evidence
				8:41-53, 9:2-13, 9:25-61, 9:65-67, 10:4-7, 10:18-21, 10:28-32, 10:45-49, 10:62-67, 11:2-26, 11:32-12:24, 12:29-38, 12:40-47, 12:60-63, 13:29-33, 13:39-65, 14:1-5, 14:20-29, 14:32-38, 14:53-67, 15:1-3, 15:21-33, 15:59-16:6, 16:26-42, 16:54-61, 17:3-22, 17:33-43, 17:51-18:3
				'560 Patent – FIGS. 1-5, 1:23-27, 1:51-53, 1:60-61, 2:10-16, 2:46-49, 2:62-65, 3:1-41, 3:64-67, 5:39-48, 5:56-6:5, 6:8-22, 6:42-49, 6:64-7:3, 7:14-23, 7:39-60, 7:61-67, 7:67-8:23, 8:27-36, 8:39-48, 8:50-53, 9:2-4, 9:6-13, 9:25-56, 9:59-61, 9:65-67, 10:4-7, 10:18-21, 10:28-32, 10:45-49, 10:62-67, 11:2-22, 11:24-26, 11:32-43, 11:45-12:15, 12:19-24, 12:29-33, 12:34-37, 12:40-47, 12:60-62, 13:29-33, 13:30-65, 14:1-5, 14:20-29, 14:32-38, 14:53-15:3, 15:21-33, 15:60-65, 15:65-16:6, 16:26-43, 16:58-61, 17:3-25, 17:33-44, 17:51-18:3, 18:19-22
				'099 Patent 2008-10-02 Applicant Arguments, pp. 11-13
				'099 Patent 2010-09-30 Applicant Arguments, pp. 15-16

	Claim Term	Claim(s)	Promontory's Construction	Supporting Evidence
2	"depositor"	'099 patent: Claims 7, 8 '372 patent: Claim 28 '651 patent: Claims 5, 25, 26 '560 patent: Claims 5, 25, 26	Indefinite. To the extent it can be construed - "A group of individuals or entities that pool funds for deposit purposes and that are permitted to deposit funds in a NOW account."	'099 Patent - 1:15-23, 1:37-39, 1:50-58, 1:64-2:5, 2:8-21, 2:25-38, 2:48-3:13, 3:33-36, 3:34-36, 3:41-47, 3:54-56, 3:60-66, 4:4-6, 4:10-11, 4:16-19, 4:31-34, 4:43-47, 4:61-67; 6:49-7:3, 7:18-22 7:25-52, 7:58-8:60, 9:9-12, 9:16-20, 9:23-34, 9:38-44, 9:47-49, 9:50-55, 9:64-10:4, 10:11-15, 10:19-67, 11:3-17, 11:27-35, 11:40-45, 11:51-63, 12:1-4, 12:13-16, 12:20-22, 13:22-24, 13:27-28, 13:32-35, 14:12-16, 14:43-47, 14:58-60, 15:26-30, 15:34-37, 15:51-16:14, 16:21-32, 16:34-67, 17:1-12, 17:17-33, FIGS. 1-10 '372 Patent – FIGS. 1-10, 1:7-15, 1:27-31, 1:42-62, 1:65-2:9, 2:15-48, 3:1-4, 3:9-13, 3:22-24, 3:28-29, 3:31-34, 3:39-41, 3:45-47, 3:51-52, 3:64-67, 4:9-14, 4:27-33, 6:15-24, 6:27-29, 6:30-36, 6:51-7:6, 7:14-40, 7:48-8:19, 8:23-27, 8:32-50, 8:54-56, 8:61-65, 9:4-11, 9:18-22, 9:26-40, 9:45-10:22, 10:34-42, 10:49-52, 10:58-11:3, 11:8-11, 11:21-30, 12:31-37, 12:42-44, 13:20-24, 13:51-55, 13:66-14:1, 14:34-38, 14:42-45, 14:59-15:24, 15:29-16:14 '651 Patent – FIGS. 1-5, 1:23-27, 1:51-62, 2:10-16, 2:28-30, 3:1-10, 3:21-26, 6:42-49, 7:14-23, 7:39-67, 8:12-23, 8:27-36, 8:41-53, 9:2-13, 9:25-61, 9:65-67, 10:4-7, 10:18-21, 10:28-32, 10:45-49, 10:62-67, 11:2-26, 11:32-12:24, 12:29-38, 12:40-47,

	Claim Term	Claim(s)	Promontory's Construction	Supporting Evidence
				12:60-63, 13:29-33, 13:39-65, 14:1-5, 14:20-29, 14:32-38, 14:53-67, 15:1-3, 15:21-33, 15:59-16:6, 16:26-42, 16:54-61, 17:3-22, 17:33-43, 17:51-18:3
				'560 Patent – FIGS. 1-5, 1:23-27, 1:51-53, 1:60-61, 2:10-16, 2:46-49, 2:62-65, 3:1-41, 3:64-67, 5:39-48, 5:56-6:5, 6:8-22, 6:42-49, 6:64-7:3, 7:14-23, 7:39-60, 7:61-67, 7:67-8:23, 8:27-36, 8:39-48, 8:50-53, 9:2-4, 9:6-13, 9:25-56, 9:59-61, 9:65-67, 10:4-7, 10:18-21, 10:28-32, 10:45-49, 10:62-67, 11:2-22, 11:24-26, 11:32-43, 11:45-12:15, 12:19-24, 12:29-33, 12:34-37, 12:40-47, 12:60-62, 13:29-33, 13:30-65, 14:1-5, 14:20-29, 14:32-38, 14:53-15:3, 15:21-33, 15:60-65, 15:65-16:6, 16:26-43, 16:58-61, 17:3-25, 17:33-44, 17:51-18:3, 18:19-22
				'099 Patent 2008-10-02 Applicant Arguments, pp. 11-13
				'099 Patent 2010-09-30 Applicant Arguments, pp. 15-16
3	"stable funds source" / "stable deposits"	'099 patent: Claims 1, 2, 7, 11, 12 '372 patent: Claims 1, 5, 6, 14, 18, 19, 27-	"source of pooled funds that when deposited are usable as core deposits" / "deposits usable as core deposits"	'099 Patent – Abstract, FIG. 2, 1:18-39, 1:47-49, 2:31-42, 2:49-51, 2:59-64, 3:37-40, 3:57-59, 6:54-56, 7:10-11, 7:53-58, 8:16-21, 17:17-20, 17:27-33 '372 Patent – Abstract, FIG. 2, 1:10-31, 1:39-41, 2:6-19, 2:26-31, 3:5-8, 3:25-27,

	Claim Term	Claim(s)	Promontory's Construction	Supporting Evidence
		29, 34		6:20-22, 6:43-44, 7:7-12, 7:38-42, 16:6-11
		'651 patent: Claims 6, 9, 14, 15, 23, 32		'651 Patent – FIG. 5, 1:23-27, 1:54-56, 2:25-27, 2:38-58, 3:37-41, 5:26-34, 6:44-47, 7:30-31, 8:40-53, 8:62-65, 9:7-10, 9:13-16, 9:25-28, 9:34-40, 12:29-33, 12:40-47, 17:21-25
		'560 patent: Claims 6, 9, 14, 15, 23, 32		'560 Patent – FIG. 5, 1:23-27, 1:54-56, 2:25-27, 2:38-58, 3:37-41, 5:26-34, 6:44-47, 7:30-31, 8:40-53, 8:62-65, 9:7-10, 9:13-16, 9:25-28, 9:34-40, 12:29-33, 12:40-47, 17:21-25
				'099 Patent 2010-09-30 Applicant Arguments, p. 17
				'099 Patent 2009-04-20 Applicant Arguments, pp. 10-11
				'099 Patent 2008-10-02 Applicant Arguments, pp. 10-11
				'372 Patent 2008-09-22 Applicant Arguments, p. 3-4
				'372 Patent 2009-04-20 Applicant Arguments, p. 15
				12 CFR §337 (2001) – PROM00015002-15014
				12 USC §1813 (2001) – PROM00015212-15219
				12 USC §1831f (2001) – PROM00015015-15017

	Claim Term	Claim(s)	Promontory's Construction	Supporting Evidence
				12 USC §1831o (2001) – PROM00014992-15001
				FFIEC UBPR User Guide (2013, misc. sections) – PROM00015018-15070, 15178-15211, 15220-330
				Webster's Encyclopedic Unabridged Dictionary of the English Language (1989, misc. pages) – PROM00015331-15347
				FFIEC A User's Guide for the Uniform Bank Performance Report (2008), pp. III-14 – III-30, III-49 – III-52 – PROM00015071-15177
4	"aggregating, prior to the depositing of the funds available for deposit…the deposit needs"	'099 patent: Claims 1, 2, 7, 11, 12 '372 patent: Claims 1, 14, 27	"Combining from disparate sources amounts of funds desired to be deposited in order to provide a stable funds source, prior to depositing the funds in one or more commercial bank accounts, in order to achieve a higher yield, and where the funds are not deposited upon receipt in accordance with depositor's preferences and amounts of the depositor's funds already deposited with particular banks"	'099 Patent - Abstract, FIG. 2, 2:32-40, 2:59-3:10, 7:25-28, 7:45-52, 8:17-19, 11:35-37, 17:27-30 '372 Patent – Abstract, FIG. 2, 2:6-9, 2:26-35, 6:58-61, 7:38-40, 10:42-44, 16:6-9 US PG Pub. No. 2006/0212385 - ¶¶[0020], [0021], [0010], [0011] '099 Patent 2010-09-30 Applicant Arguments, p. 14-16 '099 Patent 2008-10-02 Applicant Arguments, p. 11

	Claim Term	Claim(s)	Promontory's Construction	Supporting Evidence
5	"determine whether the first set of requirements matches the second set of requirements" / "determining whether the first set of requirement matches the second set of requirements"	'560 Patent: Claims 1, 7 '651 Patent: Claims 1, 7 '560 Patent: Claim 30 '651 Patent: Claim 30	Indefinite	'651 Patent - 6:52-7:13; FIG. 2; 3:33-36; 3:51-65; 4:8-40; 8:6-11; 12:54-13:14; 14:6-19; 16:7-13, Abstract, FIG. 2 '560 Patent - 6:52-7:13; FIG. 2; 3:33-36; 3:51-65; 4:8-40; 8:6-11; 12:54-13:14; 14:6-19; 16:7-13, Abstract, FIG. 2

B. PROMONTORY PATENTS

	Claim Term	Claim(s)	Promontory's Construction	Supporting Evidence
1	Processor	'522 patent (Claim 1) '307 patent (Claim 1) '745 patent (Claims 1 and 11) '746 patent (Claims 1, 5, 12, 13) '747 patent (Claims 1 and 17) '057 patent (Claims 1, 2, 3, 13 and 17) '986 patent (Claims 1 and 11) '004 patent (Claims 1, 11 and 14) '005 patent (Claims 1	"A system component responsible for allocating potential deposit amounts to multiple banks or responsible for one or all of the following: maintaining customer account records, maintaining Settlement Accounts, serving as issuing and paying agent on behalf of Receiving Institutions with respect to deposits established through the Interbank Deposit Service, and serving as subcustodian for Relationship Banks"	'522 patent – Abstract; 2:29-67; 3:1-10; 3:22-49; 5:29-32; 5:44-46; 6:51-67; 7:22-26; 8:51-57; 9:1-15; 9:26-31; 12:32-40; 13:24-25; 13:32-34; 13:45-48; 16:55-57; 18:30-33; 18:45-49; 19:44-20:21; FIG. 4, FIG. 5 12 C.F.R. § 235.2(o) (defining "processor" as "a person that processes or routes electronic debit transactions for issuers, acquirers, or merchants.")

Claim Term	Claim(s)	Promontory's Construction	Supporting Evidence
	and 11)		

	Claim Term	Claim(s)	Promontory's Construction	Supporting Evidence
2	process large deposits / process the large deposits	'522 patent (Claims 1 and 3) '307 patent (Claims 1 and 3) '745 patent (Claims 1, 4, 5, 11, 14 and 15) '746 patent (Claims 1 and 13) '747 patent (Claims 1 and 17) '057 patent (Claims 1 and 13) '986 patent (Claims 1, 4, 6, 11, 14 and 16) '004 patent (Claims 1, 10, 11 and 20) '005 patent	Plain and ordinary meaning. To the extent construction is necessary: "performing functions with (the) large deposits"	'522 Patent – Abstract; FIGS. 1, 4, 5, 8; 2:25-67; 3:1-10; 3:22-49; 3:62-65; 4:17-26; 4:51-57; 5:29-32; 5:44-46; 6:41-67; 7:22-26; 7:59-66; 8:46-57; 9:1-15; 9:24-40; 9:47-64; 11:5-7; 12:32-40; 13:5-9; 13:24-25; 13:32-34; 13:45-48; 15:50-55; 16:55-57; 17:54-18:33; 18:45-49; 19:41-20:21

	Claim Term	Claim(s)	Promontory's Construction	Supporting Evidence
		(Claims 1, 5, 11 and 15)		
3	order matching process	'747 patent (Claims 1, 10 and 17)	Plain and ordinary meaning. To the extent construction is necessary: "order matching functions"	'747 patent – Title; Abstract; FIGS. 3, 4; 4:8-16; 4:57-63; 6:26-28; 8:43-63; 9:23-10:20; 11:47-67; 14:23-67; 15:1-27; 17:1-19:34

ANOVA'S PROPOSED CONSTRUCTIONS OF DISPUTED CLAIM TERMS

A. ANOVA PATENTS

	Claim Term	Claim(s)	Anova's Proposed Construction	Supporting Evidence
1	depositor group	'099 claims 1-4, 6-8, 11-14, 16; '372 claims 1-4, 7, 9-12, 14-17, 20-24, 27, 29-33, 39, 41, 42, 44, 46-50; '651 claims 6, 9-13, 16, 17, 19-20, 22, 24, 32; '560 claims 6, 9-13, 16, 17, 19-20, 22, 24, 32	"A group of one or more individuals and/or one or more entities placing or seeking to place funds in one or more banks."	'099: Claims 1-4, 6-14, 16; Col. 1, l. 50 – Col. 2, l. 9; Col. 2, ll. 25-31; Col. 2, ll. 41-57; Col. 3, ll. 9-47; Col. 8, l. 61 – Col. 9, l. 34; Col. 16, ll. 60 – Col. 17, l. 12. '372: Claims 1-4, 7, 9-12, 14-17, 20-24, 27, 29-33, 39, 41, 42, 44, 46-50; Col. 3, ll. 9-15. '651: Claims 9-13, 16, 17, 19, 20, 22, 24, 32; Col. 2, ll. 10-16; Col. 9, ll. 18-34. '560: Claims 6, 9-13, 16, 17, 19, 20, 22, 24, 32; Col. 2, ll. 10-16; Col. 9, ll. 18-34. THE CONCISE OXFORD DICTIONARY p. 384 (10th ed. 1999) (defining "deposit" as "a sum of money placed in a bank or other account"). MERRIAM WEBSTER'S COLLEGIATE DICTIONARY p. 310 (10th ed. 1996) (defining "deposit" as "something

	Claim Term	Claim(s)	Anova's Proposed Construction	Supporting Evidence
				placed for safekeeping as **a.** money deposited in a bank. . . .").
2	depositor	'099 claims 7, 8; '372 claim 28; '651 claims 5, 25, 26; '560 claims 5, 25, 26	"An individual or entity placing or seeking to place funds in one or more banks"	'099: Claims 6-10, 16; Col. 1, l. 50 – Col. 2, l. 9; Col. 2, ll. 4-9; Col. 2, ll. 25-31; Col. 2, ll. 41-57; Col. 3, ll. 41-49; Col. 8, l. 61 – Col. 9, l. 8; Col. 16, l. 60 – Col. 17, l. 12.
				'372: Claim 6, 16, 28; Col. 1, l. 42-49; Col. 3, ll. 9-17.
				'651: Col. 2, ll. 62-65; Col. 3, ll. 1-41; Col. 5, ll. 61-64; Col. 6, l. 65 – Col. 7, l. 3; Col. 9, ll. 18-34; Claims 5-6, 21, 24-28.
				'560: Col. 2, ll. 62-65; Col. 3, ll. 1-41; Col. 5, ll. 61-64; Col. 6, l. 65 – Col. 7, l. 3; Col. 9, ll. 18-34; Claims 5-6, 21, 24-28.
				THE CONCISE OXFORD DICTIONARY p. 384 (10th ed. 1999) (defining "deposit" as "a sum of money placed in a bank or other account").
				MERRIAM WEBSTER'S COLLEGIATE DICTIONARY p. 310 (10th ed. 1996) (defining "deposit" as "something placed for safekeeping as **a.** money

	Claim Term	Claim(s)	Anova's Proposed Construction	Supporting Evidence
				deposited in a bank. . . .").
3	stable funds source / stable deposits	'099 claims 1, 2, 7, 11, 12; '372 claims 1, 5, 6, 14, 18, 19, 27-29, 34; '651 claims 6, 9, 14, 15, 23, 32; '560 patent claims 6, 9, 14, 15, 23, 32	"Source of funds that, as a whole, do not fluctuate significantly in amount in response to changing conditions and/or the passage of time" / "Deposits that, as a whole, do not fluctuate significantly in amount in response to changing conditions and/or the passage of time"	'099: Col. 3, ll. 57-59; Col. 3, ll. 37-40; Col. 1, ll. 27-48; Col. 1, ll. 50-54; Col. 2, ll. 31-64; Col. 8, ll. 17-21; Claims 1, 2, 5, 7, 11, 12, 15. '372: Col. 3, ll. 25-27; Col. 3, ll. 5-8; Col. 1, ll. 19-31; Col. 1, ll. 42-46; Col. 2, ll. 4-34; Col. 7, ll. 38-41; Claims 1, 5, 6, 13, 14, 19, 26-29. '651: Col. 2, ll. 25-27; Col. 1, ll. 54-56; Col. 2, ll. 38-54; Col. 5, ll. 21-60; Col. 8, l. 62 – Col. 9, l. 40; Claims 6, 9-13, 23. '560: Col. 2, ll. 25-27; Col. 1, ll. 54-56; Col. 2, ll. 38-54; Col. 5, ll. 21-60; Col. 8, l. 62 – Col. 9, l. 40; Claims 6, 9-13, 23. Amendment under 37 C.F.R. §1.116, filed September 5, 2006, U.S. Patent App. No. 10/569,013.
4	aggregating, prior to the depositing of the funds available for deposit…the deposit needs	'099 claims 1, 2, 7, 11, 12; '372 patent claims 1, 14, 27	"combining from disparate sources amounts of funds sought to be deposited, prior to depositing the funds in one or	'099: Col. 2, ll. 31-40; Col. 2, ll. 59-64; Col. 7, ll. 25-28; Col. 8, ll. 8-13; Col. 8, ll. 17-24; Fig. 1, 2; Claims 1, 2, 11, 12.

	Claim Term	Claim(s)	Anova's Proposed Construction	Supporting Evidence
			more commercial bank accounts and using the control center with one computer, in order to provide a stable funds source"	'372: Col. 2, ll. 4-13; Col. 2, ll. 26-31; Col. 6, ll. 58-61; Col. 7, ll. 29-34; Col. 7, ll. 38-41; Fig. 1, 2; Claims 1-4, 14-17, 27. '651: Col. 9, ll. 6-13; Col. 9, ll. 35-40; Col. 17, ll. 11-17; Col. 17, ll. 21-25; Fig. 1, 5; Claims 6, 9-13, 32. '560: Col. 9, ll. 6-13; Col. 9, ll. 35-40; Col. 17, ll. 11-17; Col. 17, ll. 21-25; Fig. 1, 5; Claims 6, 9-13, 32.
5	determine whether the first set of requirements matches the second set of requirements / determining whether the first set of requirement matches the second set of requirements	'560 claims 1, 7, 30; '651 claims 1, 7, 30	Plain meaning	'560: Claims 1, 7, 30; Col. 13, ll. 4-7. '651: Claims 1, 7, 30; Col. 13, ll. 4-7.

B. PROMONTORY PATENTS

	Claim Term	Claim(s)	Anova's Proposed Construction	Supporting Evidence
1	processor	'522, claim 1; '307 claim 1; '745 claim 1, 11; '746 claim 1, 5, 12, 13; '747 claims , 17; '057 claims 1, 2, 3, 13, 17; '986 claims 1, 11; '004 claims 1, 11, 14; '005 claims 1, 11	"one or more computers that are components of an interbank deposit placement system"	'522: Abstract; Col. 6, ll. 41-51; Col. 5, ll. 26-32; Col. 6, ll. 54-61; Col. 7, ll. 1-5; Col. 6, ll. 52-53; Col. 2, l. 25 – Col. 3, l. 10; Col. 6, ll. 65-67; Col. 7, ll. 22-26; Fig. 1; Col. 18, ll. 30-49; Col. 19, l. 44 – Col. 20, l. 21; Col. 20, ll. 30-32; Claims 1, 7, 9, 11, 18.[1]
				'307: Abstract; Claims 1, 2, 4, 5, 7, 9, 10, 11, 14, 15, 18, 19.
				'745: Abstract; Claims 1, 6, 10, 11.
				'746: Abstract; Claims 1, 5, 10, 11, 12, 13, 17.
				'747: Abstract; Claims 1, 4, 8, 17.
				'057: Abstract; Claims 1, 2, 3, 4, 11, 12, 13, 17.
				'986: Abstract; Claims 1, 5, 8, 10, 11, 18.
				'004: Abstract; Claims 1, 5, 9, 11, 15, 19.
				'005: Abstract; Claims 1, 6, 9, 10, 11, 20.

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[1] The Promontory Patents share a common specification. Accordingly, for the sake of simplicity, Anova refers herein to portions of the specification of the '522 patent. Each such reference should be deemed to include the corresponding portion(s) of the specification of the other Promontory Patents.

	Claim Term	Claim(s)	Anova's Proposed Construction	Supporting Evidence
				U.S. Patent No. 7,440,914 ("'914"): Col. 5, ll. 25-31; Col. 2, l. 13 – Col 3, l. 41; Col. 3, l. 46 – Col. 4, l. 20; Fig. 5, 6, 7; Claims 1, 2, 5, 6, 7, 10, 11, 12, 13, 14, 15, 16, 17, 21, 22, 28.

U.S. Patent No. 7,376,606 ("'606"): Claims 1, 2, 4, 5.

Preliminary Remarks filed February 26, 2009, U.S. Patent App. No. 12/393,709 ("Here, claims 1-20 recite a computer-implemented process that is clearly tied to a particular machine. That is, the 'processor' referred to throughout the specification, when programmed to perform the steps shown in the flowcharts and the diagrams, becomes a special-purpose computer, and thereby a new machine" (emphasis in original)).

U.S. Patent Application No. 10/124,462, filed April 17, 2002, Specification ¶¶ [0008] – [0037], [0055], and Fig. 5, 6, 7.

U.S. Provisional Patent |

	Claim Term	Claim(s)	Anova's Proposed Construction	Supporting Evidence
				Application No. 60/307,815, filed July 27, 2001, p. 19 ("The Exchange itself would have numerous duties, the majority of which would be performed via a sophisticated yet noncomplex computer program."
				THE AMERICAN HERITAGE DICTIONARY OF THE ENGLISH LANGUAGE p. 1398 (4th ed. 2000) (defining "processor" as "*Computer Science* a. A computer b. A central processing unit.")
				MERRIAM WEBSTER'S COLLEGIATE DICTIONARY p. 928 (10th ed. 1996) (defining "processor" as "(1) COMPUTER (2) the part of a computer system that operates on data – called also *central processing unit*.")
				THE CONCISE OXFORD DICTIONARY p. 1139 (10th ed. 1999) (defining "processor" as "a machine that processes something → *Computing*. a central processing unit."
2	process large deposits / process the large deposits	'522 claims 1, 3; '307 claims 1 and 3; '745	"automatically allocate portions or a large deposit among multiple	'522: Col. 6, ll. 42-43; Col. 7, l. 64 – Col. 8, l. 36; Claims 1, 11.

	Claim Term	Claim(s)	Anova's Proposed Construction	Supporting Evidence
		claims 1, 4, 5, 11, 14 and 15; '746 claims 1, 13; '747 claims 1, 17; '057 claims 1, 13; '986 claims 1, 4, 6, 11, 14, 16; '004 claims 1, 10, 11, 20; '005 claims 1, 5, 11, 15.	banks so that the entire deposit is fully insured"	'307: Claims 1, 11. '745: Claims 1, 11. '746: Claims 1, 13. '747: Claims 1, 17. '057: Claims 1, 13. '986: Claims 1, 11. '004: Claims 1, 11. '005: Claims 1, 11. Preliminary Remarks filed February 26, 2009, U.S. Patent App. No. 12/393,709 ("Here, claims 1-20 recite a computer-implemented process that is clearly tied to a particular machine. That is, the 'processor' referred to throughout the specification, when programmed to perform the steps shown in the flowcharts and the diagrams, becomes a special-purpose computer, and thereby a new machine" (emphasis in original)). THE AMERICAN HERITAGE DICTIONARY OF THE ENGLISH LANGUAGE p. 1398 (4th ed. 2000) (defining "process" to mean "to put through the steps of a prescribed procedure). MERRIAM WEBSTER'S COLLEGIATE DICTIONARY p. 928 (10th ed. 1996)

	Claim Term	Claim(s)	Anova's Proposed Construction	Supporting Evidence
				(defining "process" to mean "to subject to or handle through an established usu. routine set of procedures"). THE CONCISE OXFORD DICTIONARY p. 1139 (10th ed. 1999) (defining "process" to mean "deal with, using an established procedure").
3	order matching process	'747 claims 1, 10, 17	"an operation that automatically matches orders"	'522: Col. 17, ll. 1-11; Claims 1, 9-17. '914: Col. 11, l. 48 – Col. 13, l. 11; Col. 15, l. 44 – Col. 19, l. 60. Preliminary Remarks filed February 26, 2009, U.S. Patent App. No. 12/393,709 ("Here, claims 1-20 recite a computer-implemented process that is clearly tied to a particular machine. That is, the 'processor' referred to throughout the specification, when programmed to perform the steps shown in the flowcharts and the diagrams, becomes a special-purpose computer, and thereby a new machine" (emphasis in original)). THE AMERICAN HERITAGE DICTIONARY OF THE ENGLISH LANGUAGE p. 1398 (4th

	Claim Term	Claim(s)	Anova's Proposed Construction	Supporting Evidence
				ed. 2000) (defining "process" to mean "to put through the steps of a prescribed procedure). MERRIAM WEBSTER'S COLLEGIATE DICTIONARY p. 928 (10th ed. 1996) (defining "process" to mean "to subject to or handle through an established usu. routine set of procedures"). THE CONCISE OXFORD DICTIONARY p. 1139 (10th ed. 1999) (defining "process" to mean "deal with, using an established procedure").